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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/756,969	01/14/2004	Peter Skov Christensen	P17938-US2	3773
27045	7590	12/10/2007		
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024			EXAMINER TEDOM, CLEMENT N	
			ART UNIT 2619	PAPER NUMBER
			MAIL DATE 12/10/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/756,969

Applicant(s)

CHRISTENSEN ET AL.

Examiner

Clement N. Tedom

Art Unit

2619

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-17 is/are allowed.
- 6) ☒ Claim(s) 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because the cross-reference to related application is missing. Correction is required. See MPEP § 608.01(b).

### ***Response to Amendment***

Amendments filed on 11/14/2007 have been entered.

Claim 18 is still rejected.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brownell et al, PGPUB 2003/0130833, (hereinafter Brownell), in view of Chin et al Patent No 5617421 (hereinafter Chin) in view of applicant admitted prior art.

**Regarding claim 18**, Brownell teaches a locally administered virtual MAC address (which are mapped to an original MAC address as they follow the IEEE 48 bit address format) (see section [0041], lines 1-7).

Brownell further teaches the steps of:

Utilizing a first portion of the virtual MAC address to define a domain for the address (see section [0041], lines 9-10, where the MAC has a field that contains the node ID).

Utilizing a second portion of the virtual MAC address to indicate that the address is a locally administered address (See section [0041], lines 8-9, where a field is used to set the locally administered bit to 1).

Utilizing a third portion of the virtual MAC addresses (see section [0041], lines 11-12, where a third field controlled by the control node, which is a count value, (see section [0041], lines 11-12)

Brownell does not teach explicitly teaches a third portion indicating unit specific use.

Chin, which is in the same field of endeavor (address management), discloses a MAC address with the following entry:

Indication if local or global, the user specific ID, as well as domain identification (see column 13, lines 20-31, as well as column 15, lines 36-49, where Mac address specified each address within a domain, which is substantively the same as user specific ID)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to indicate user specific ID in a domain as taught by Chin, in the invention of Brownell, in order to keep each address within a domain unique (see column 15, lines 46-49)

Applicant admitted prior art (fig 3 and 4) shows a logically administered Mac address with 4 fields. First field is reserve for a Unit unique MAC address (24 bit), see fig 3 (item 32), a second field reserved for unique identifier (24 bits) (see fig 3, item 31) which is further divided into 3 field: a 6 bits field, and a 2 bits field (see fig 4, item 41) and a remaining 16 bits field.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a third and second field in the virtual MAC address indicating Unique identifier and unit-unique in order to insure uniqueness (see section [0004], lines 8).

***Allowable Subject Matter***

3. Claims 1-17 are allowed.

***Response to Arguments***

4. The argument filed on 11/14/07 under 37 CFR 1.131 has been considered but is ineffective to overcome the prior art of record.

Regarding claim 18, Applicant argues that the prior art of record fails to teach the steps of utilizing a first portion of the virtual MAC address to define a MAC domain for the address; utilizing a second portion of the virtual MAC address to indicate that the address is a locally administered address; and utilizing a third portion of the virtual MAC address to uniquely identify specific users within each MAC domain.

Examiner disagrees, Applicant discloses in fig 3 (labeled prior art) a virtual Mac address with 3 portion, a first portion that define the MAC domain (see fig 3, item 30, as well as section [0004]), a second portion that indicated if address is locally administered or not

( see figure 3, LSB, as well as section [0004]), and a third portion that uniquely identify each MAC domain (see fig 3, item 31, as well as section [0004]).

***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

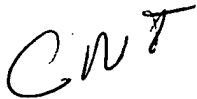
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement N. Tedom whose telephone number is (571)270-1827. The examiner can normally be reached on Monday-Friday, 7:30-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (571)272-3088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Clement Tedom  
Patent Examiner

12/04/07



HASSAN KIZOU  
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